

REMARKS

The attorney (Jeffrey Pearce, who is no longer employed by the assignee company) previously in charge of this application discussed the most recent Office action with the Examiner and, on the Examiner's own suggestion, faxed a draft amendment directly to the Examiner. The applicant understands that there was some form of mix-up regarding submission of that amendment in that, because it was labeled "Draft," it was not entered, and the six-month statutory response period expired.

The claim amendments proposed above are identical to those that should already be in the file of this application, that is, they are the same as were faxed to the Examiner in "draft" form. The following remarks are also taken verbatim from the previously submitted amendment. The applicant wishes to incorporate the substantive remarks into this amendment and request that the claims be allowed in light of these remarks.

Previously Submitted Remarks of Jeffrey Pearce:

On 3 November, Examiner Siddiqi and I spoke on the phone to discuss the response, faxed 29 September 2004, to the final Office action mailed 9 September 2004. This draft amendment is a result of this conversation.

First, I want to thank Examiner Siddiqi for his time and consideration of this application during our telephone conference yesterday.

Examiner Siddiqi maintains his belief that *Krishnaswamy* delays asynchronous exception handling like the applicant's invention does. The applicant still maintains that his mechanism for handling asynchronous exception alone is patentably different from *Krishnaswamy's*, since the applicant's solution provides a precise guarantee of when each asynchronous exception will be handled, without the need for GAR points. Nonetheless, the applicant wishes to expedite prosecution of this application, while still reserving the right to seek protection for his mechanism for handling asynchronous exceptions alone in future continuing applications.

The Examiner observed that neither *Krishnaswamy* nor the previously cited prior art has any teaching of how to deal with *synchronous* exceptions, especially of different types. This is so.

In this draft amendment, Claims 1 and 16 have been amended to include the limitations of claims 5 and 19, respectively, which relate to how the invention determines the presence of and then handles both types of *synchronous* exceptions. Other claims that then become redundant have been canceled and the dependency of certain dependent claims has been changed to be consistent with the new base claims.

Claim 15 already had the limitations relating to synchronous exception handling.

The claims presented in this amendment take into account the Examiner's comments, and should now be allowable.

Thank you.

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Respectfully submitted,

A handwritten signature in black ink, appearing to read "Darryl A. Smith", with a stylized flourish at the end.

Darryl Smith
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